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Board of County Commissioners Agenda Request 20

Date of Meeting: 5/13/2003**Date Submitted:** 5/8/2003

TO: Honorable Chairman and Members of the Board
FROM: Parwez Alam, County Administrator
Tony Park, P.E., Director of Public Works
SUBJECT: Acceptance of Report on Pro Rata Share for a Proposed Cloudland Drive 2/3-2/3 Paving Project and Approval to Develop a Capital Improvement Project to Provide for Design and Construction of a Stormwater Project

Statement of Issue:

This agenda item requests Board acceptance of staff's report on the determination of a pro rata share for a proposed Cloudland Drive 2/3-2/3 Paving Project regarding stormwater and paving issues as requested by the Board. The pro rata share costs include (1) a potential 2/3-2/3 road paving project funded by the Cloudland Drive property owners in the amount of \$153,200 and (2) a County-funded Capital Improvement Project (CIP) providing for the design and construction of a stormwater project in the amount of \$288,000. The total estimated project cost is \$441,200. This agenda item requests Board approval of the CIP.

Background:

On September 18, 2001, Dr. Charles U. Smith appeared before the Board and presented a petition signed by 13 of 17 Cloudland Drive property owners requesting that the County accept, at no expense to the homeowners, Cloudland Drive as a County maintained road. Upon that acceptance, the property owners requested the County make repairs to the street and drainage system serving it. The Board did not accept the petition and directed staff to work with the property owners to develop a 2/3-2/3 Project if they chose to do so.

On October 25, 2001 staff met with Cloudland Drive property owners at a homeowner's meeting. At that time staff delivered forms for a 2/3-2/3 Project petition and an updated cost estimate for the road and drainage improvements that would comprise the 2/3-2/3 Project. The updated estimate was in the amount of \$202,500.

On February 14, 2002 Dr. Smith issued a letter on behalf of the Cloudland Drive Homeowners declaring the updated cost to be unacceptable because it included costs for improving the drainage system from Ortega Drive to Lakeshore Drive. Dr. Smith's letter indicated the homeowners may be interested in a 2/3-2/3 Project, if the drainage system improvements were paid for by the County and the costs to the homeowners were for roadway improvements only.

On March 26, 2002, staff presented the Board with a status report on the proposed Cloudland Drive 2/3-2/3 Paving Project (Attachment #1). During that meeting, the cost estimate provided to the homeowners included costs for drainage work that was acknowledged to be pass-through in nature, originating outside

the limits of the subdivision and running through the subdivision to a destination outside of the subdivision limits.

At the conclusion of that discussion the Board, by formal action, directed " ...staff to determine and facilitate a pro rata share for the Cloudland Drive 2/3-2/3 Paving Project regarding the stormwater and paving issues."

Subsequent to the above listed events staff, in concert with Commissioner Winchester's office, have attempted on numerous occasions to follow-up with Cloudland Drive residents to determine their interest in developing a 2/3-2/3 Project. As of the submittal date for this agenda request, the homeowners have taken no action to initiate a 2/3-2/3 Project. However, a meeting with the homeowners is scheduled for the night of May 8, 2003 and more information may be available on this subject at the Board meeting. It is noted that the Cloudland Drive homeowners' interest has been focused on drainage improvements. If the County were to assume that responsibility, the homeowners may not pursue the 2/3-2/3 Project activity.

During the development of this issue, other affected parties have come forward and expressed interest and concern. Residents living on Lakeshore Drive immediately downstream of Cloudland Drive have also been suffering from the impacts of stormwater that passes through the Cloudland Drive area and then flows down onto their property. These residents are not involved in the issue of a 2/3-2/3 paving project, but are in vocal support of the County's taking action to alleviate the stormwater effects to their properties.

Analysis:

It is staff's understanding that the Board has requested information on the cost of two projects to be constructed either simultaneously or separately. These two projects are:

- 1) A 2/3-2/3 paving project to improve Cloudland Drive and accept the road into the County maintained system. This project would be paid for by the homeowners via conventional 2/3-2/3 project process.
- 2) A drainage project to collect and convey offsite water entering the Cloudland Drive right-of-way to a proper discharge point. This project may be considered a part of the 2/3-2/3 project or the Board may elect to accomplish the work using County funds.

The previous practice required all necessary drainage improvements be included in the 2/3-2/3 project costs paid by the homeowners. In recent years, however, projects such as the Cloudland Drive project have developed which showed greater offsite drainage impacts than past experience has encountered. More recently, the Board accepted a drainage improvement project on Balboa Drive in concert with the Rainbow Acres 2/3-2/3 Paving Project.

The estimated total project cost for improving Cloudland Drive to minimum County standards is \$153,200. This cost includes: \$107,000 for construction; \$25,000 for design, surveys, testing and permits; and \$21,000 as a contingency. The project would include reconstruction of portions of the road, overlay of all of the road and construction of a minor drainage system (swales) along the road to handle on-site stormwater. The Cloudland Drive property owners will be responsible for the road paving cost in the amount of \$153,200 under the County's 2/3-2/3 Program in the event they decide to proceed with the road paving project.

The estimated total project cost for a drainage system to collect stormwater entering the Cloudland Drive right-of-way and convey it to a proper discharge point is \$288,000. This cost includes: \$189,000 for construction; \$62,000 for design, surveys, testing and permits; and \$37,000 as a contingency. The project

would provide for construction of inlet structures and a pipe system along a portion of Cloudland Drive, reconstruction of the existing paved ditch along Arlington, enhancements to the existing cross drain under Lakeshore Drive and enhancements to the existing outfall ditch from Lakeshore Drive to Lake Jackson. The County will be responsible for the estimated \$288,000 in costs for the drainage system.

Staff acknowledges that the total project cost represented, \$441,200, exceeds the estimate provided to the homeowners in October 2001, which was \$202,500 and was the basis for the Board's discussion on March 26, 2002. In an analysis of the October 2001 estimate, as compared to the current cost projection, staff observations are as follows:

- 1) The roadway construction (2/3-2/3 Project) cost has not changed significantly.
- 2) The earlier estimate considered conveying drainage to the Lakeshore Drive right-of-way only. More exhaustive analysis reveals the need to reconstruct the outfall from Lakeshore to Lake Jackson, adding \$100,000 to the stormwater project cost.
- 3) Permit fees projected in 2001 were only \$1,585 (for the entire project). Based on current fee schedules and the expanded project, permit fees alone (for the stormwater project only) are expected to be over \$11,000.
- 4) The 2001 estimate anticipated delivery of stormwater without the need to reconstruct the existing drainage systems on Arlington and Lakeshore.

In summary, a more detailed cost review has resulted in a number that is much more reliable for project planning purposes, although it is a significantly higher number. The actual cost may vary from the current projections based on actual design and construction.

The two projects, the Cloudland Drive 2/3-2/3 Project and the Stormwater Project, can be constructed independently of each other. It may be more cost-efficient to construct the two projects at the same time, but difference in costs would not be significant.

The Stormwater Project cannot be constructed without an easement from the owners of Cloudland Drive. It is possible that additional easements may also be necessary along the outfall from Lakeshore Drive. Any costs associated with acquisition of additional property for the project have not been included in these cost estimates.

Presently, the homeowners of Cloudland Drive have not been contacted concerning the revised project cost estimate, however a meeting is scheduled for May 8, 2003.

If directed by the Board, staff can develop a budget for the stormwater project described herein as a part of the current budget cycle for 03/04.

Options:

1. Accept report on the determination of a pro rata share for a proposed Cloudland Drive 2/3-2/3 Paving Project, which includes road paving in the amount of \$153,200 to be funded by the Cloudland Drive property owners and County-funded stormwater project in the amount of \$288,000, for a total estimated project cost of \$441,200.
2. Direct staff to develop a Capital Improvement Project during the 03/04 budget cycle to provide for

design and construction of the stormwater project in the amount of \$288,000.

3. Do not direct staff to develop a Capital Improvement Project during the 03/04 budget cycle to provide for design and construction of the stormwater project identified herein.

4. Board Direction

Recommendation:

Options #1 and #2.

Attachments:

1. March 26, 2002 Agenda Request
2. Reference Map

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